

REMARKS

The Official Action of July 28, 2006 has been carefully studied. The claims in the application are now claims 18-22 and 24-32, and **these should all be in condition for allowance consistent with what is stated in the Official Action.** Accordingly, favorable consideration and early formal allowance are respectfully requested.

Claims 18, 19 and 24-28 have been allowed. Applicants accordingly understand that these claims are deemed to meet all requirement for patentability, including novelty and non-obviousness under §§102 and 103. Of these, claim 28 has been rewritten in independent form.

Claim 23 has only been objected to as being dependent on a rejected base claim (claim 20) but is otherwise indicated as being "allowable if rewritten in independent form.. .". Applicants therefore understand that claim 23 also is considered by the PTO to meet all requirements for patentability, including the novelty and non-obviousness requirements of §§102 and 103. Accordingly, the dependent portion of claim 23 has now been incorporated bodily into claim 20, thus converting claim 20 (as amended above) into the equivalent of claim 23 rewritten in independent form. Therefore, claim 20 should now be in the same patentable

position as was claim 23, and claim 20 should now be in formal condition for allowance along with all the claims which depend therefrom.

As a result, all the claims in the present application should now be in condition for formal allowance, and such is respectfully requested.

Claims 20-22 and 29-32 have been rejected as obvious under §103 from Herbst-Dederichs. For the record, the rejection is respectfully traversed, even though it need not be addressed in view of the amendments presented above.

As regards claims 30-32, these have apparently been included in the rejection by mistake. These claims all depend from and incorporate the subject matter of allowable claim 28.

As regards previous claim 20 and claims 21, 22 and 29 dependent therefrom, applicants wish to make of record that Herbst-Dederichs discloses a protective layer against wear and tear for the contact surface of the piston ring which is formed of a powder mixture in which the first powder exists as agglomerated and sintered powder made out of the alloy components chromium carbide, chromium and nickel, which has not experienced any subsequent embrittling heat treatment such as e.g. a plasma age hardening. The carbides in the powder have a mean diameter that is essentially not greater than 3 μm . A second powder is also present as an agglomerated and

sintered powder and contains tungsten carbide as an essential characteristic and is applied to at least one peripheral area of the piston rings by means of thermal spraying. Two differing layer areas are thus produced in the protective layer against wear and tear, whereby a first area develops that is primarily rich in chromium carbide and a second area develops that is chiefly rich in tungsten carbide (see paragraph [0006] of Herbst-Dederichs), thereby providing a protective layer against wear and tear with good machinability of the chromium carbides together with the very high resistance to wear and tear of the tungsten carbides (see paragraph [0010], lines 1-4 of Herbst-Dederichs), but not corresponding to the claimed subject matter.

There is nothing in the applied reference which would have led the person of ordinary skill in the art to make the modifications in Herbst-Dederichs's necessary to reach the claimed subject matter.

The prior art documents of record and not relied upon by the PTO have been noted, along with the implication that such documents are deemed by the PTO to be insufficiently material to warrant their application against any of applicants' claims.

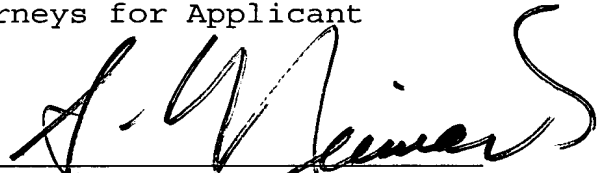
Appln. No. 10/531,423
Amd. dated October 30, 2006
Reply to Office Action of July 28, 2006

Applicants believe that all issues raised in the Office Action have been addressed above in a manner favorable to allowance of the present application. Accordingly, applicants respectfully request favorable consideration and early formal allowance.

Respectfully submitted,

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